

CONSERVATION COMMISSION

MINUTES (APPROVED 4/23/08)

APRIL 9, 2008

Present: J. Wiley, Chairman
A. Goetz, V. Chairman
B. Dyer, E. DiVirgilio, R. Turner

Absent: K. Phelps, R. Jones

Also Present: L. Hershey, Conservation Agent

Conservation Agent report given to board members

Minutes taken by Landis Hershey and Betsey Dexter Dyer and transcribed by Pam Smith

Meeting Opened: 7:15

DISCUSSION

BIRD ESTATES DEP # 315-468

Mr. Rich Kirby of LEC Environmental, Tom Belts and Eric Carlson of Toll Bros. were present to discuss updates and progress of the Bird Estates. They are requesting an extension to the Order of Conditions at this time. A list of things that need to be addressed were discussed.

Mr. Wiley stated a punch list of replication area items needs to be provided to the commission. Wetland replication plantings will be done in the spring. Mr. Wiley also discussed Basin #1 as being an issue.

Mr. Carlson stated Basin #1 takes drainage from phase 1 and 2 of the project. He stated they are close to decommissioning the flox-log swale, hopefully by late August.

Ms. Hershey stated she would like to see erosion controls in place as well as a written update of the phasing schedule.

Mr. Goetz stated the commission should be kept up to date with names and 24-hour phone numbers

Mr. Goetz made the motion to approve a one-year extension
Mr. DiVirgilio seconded the motion
Vote: 4-0-0

PUBLIC HEARING
NOTICE OF INTENT
INDUSTRIAL RD. #3
DEP # 315-922

Opened: 7:30

Mr. Wiley read the advertisement from the Walpole Times. Green cards were collected.

Mr. Wiley read board comments

Mr. Rick Merrikin, of Merrikin Engineering was present representing businessowner Mr. Tom Duggan who was also present.

Mr. Merrikin states this filing is based on a “cease and desist” order issued by the commission and an agreement between the applicant and the commission for restoration work on the site of 3 Industrial Rd. Mr. Merrikin stated they do not want to remove fill because the soil is hydric and therefore suitable.

Mr. Goetz states that soils pushed into the area need to be removed and there are damaged cedar trees that have been pushed over that need to be restored to the original elevation or removed and replaced if needed.

Mr. Wiley and Mr. Turner asked whether this land was Town owned or Conservation Land.

Ms. Hershey stated it is Town land. She also stated she that soils with hydric soil indicators may not have enough organics for replicating the wetlands.

Mr. Merrikin stated that Mr. Duggan will try to acquire the land but if they cannot they will restore the area. Mr. Merrikin states they hope to know within the month whether the land can be purchased.

Mr. Wiley stated this hearing should be continued and resolved once the board knows if the sale will take place.

Mr. Goetz made the motion to continue the Public Hearing until May 14, 2007 at 7:30
Mr. DiVirgilio seconded the motion
Vote: 4-0-0

PUBLIC HEARING

**NOTICE OF INTENT
WASHINGTON ST. LOT 2
DEP # 315-923**

OPENED: 7:53

Mr. Wiley read the advertisement from the Walpole Times. Green cards were collected.

Mr. Wiley read board comments

Mr. John Glossa, of Glossa Engineering was present representing owner Jason Hockman who was also present.

Mr. Glossa stated originally this location was going to be called Ice House Way, but since it is now just going to be a single family dwelling, the address will be Washington St. The other lot is mostly wetlands and not able to be developed. Mr. Glossa stated in 2000 the commission allowed a driveway to cross the wetlands and the Order of Conditions allowed for a house to be built and utilities. In 2007 the location of the septic system changed because of soil types that necessitated a new driveway location

Ms. Hershey stated the wetland line needs to be confirmed before the new design of the driveway can be decided.

Mr. Wiley stated that 7 plaques should be put along the driveway between flags 8 and 12

Mr. Wiley asked for comments from the audience

Ms. Eileen Heffernan, Country Club Dr. stated her concerns with the flow of water

Mr. Greg Texeira, Stone St. wanted clarification of where the driveway is located.

Mr. Richard Simons, Stone St. discussed his concerns with the stream and also concerns with the septic system

Mr. Glossa stated they are not within 200' of a perennial stream and are about 180' from the intermittent stream

Mr. Simons stated the two streams are not intermittent and run all the time

Mr. Glossa stated the USGS map shows it is intermittent

Mr. John Lilly, Delcor Dr. asked about perc rates

Ms. Michelle Sullivan asked for clarifications of the dimensions of the septic system and leaching field

Ms. Mary Connor, Delcor drive spoke about flooding and the flood plain

Mr. Joe Mocern, Delcor Dr. spoke about the previous driveway work

Ms. Lorraine Sweeny questioned replication of the filled wetlands and about Lot 1 and whether it is a build able lot.

Mr. Hockman stated there are restrictions on the other lot because of wetlands

Mr. Ken Gray, Country Club Dr. stated there is an environmental affect because for the first time in 40 yrs. There are no deer in his yard.

Mr. Simons asked for clarifications about how wetlands are delineated

Ms. Sweeney asked if Natural Heritage maps had been consulted for endangered species

Mr. Goetz made the motion to continue the Public Hearing until April 23, 2008 at 8:00 p.m.

Mr. DiVirgilio seconded the motion

Vote: 4-0-0

**PUBLIC HEARING
NOTICE OF INTENT
NEPONSET ST. #100
DEP # 315-924**

OPENED: 8:00

Mr. Wiley read the advertisement from the Walpole Times. Green cards were collected

Mr. Wiley read board comments. A letter from Weston & Sampson dated April 4th was read into the record.

Ms. Stacy Minihan of Beals & Thomas, Art Cunningham of Weston Solutions and Chris Clodfelter of Baker Process, Inc. were present.

A letter from the Planning Board states a special permit may be needed from the Zoning Board of Appeals.

Ms. Minihan presented the commission with an overview of the site at 100 Neponset St. she requested a portion of the Riverfront Area be classified as previously developed per 10.58(5)

Mr. Cunningham described a sampling of sediments, ground water and the brook. He stated the proposed cap would not cross the wetland boundary and they would try to avoid removing certain piles of debris but would cover it. They will also try to avoid

steep slopes and cutting vegetation. He also stated they would review construction phasing and only work on one area at a time. They intend to add vegetative cover where needed.

Ms. Hershey stated she recommends a site visit, and the commission should consider how the disturbed 25ft. no alteration area outside of the disturbed debris area is restored. Ms. Hershey also recommends the Water/Sewer commission/Weston Solution letter which was read into the record be addressed point by point. She also asked for clarifications on the stormwater management.

Mr. Turner is concerned with ground water contamination of potential materials to be left in the DDA and be capped.

Ms. Dyer expressed concern that removal of the debris piles was not being considered

Mr. Cunningham states that Mass DEP recommends not removing it

Mr. DiVirgilio when the last dumping occurred and was told it might have been in the 70's

Ms. Hershey stated tests indicate no ground water contamination. DEP Wetlands Waterways generally recommends keeping it there if it is stable, moving it may cause more problems.

Mr. Goetz discussed the history of the site from the 60's and 70's as he and other family members worked there and had direct observation. He stated that used commercial liquids were sent out to be processed. Mr. Goetz asked if the current buildings demo material would be placed within the site.

Mr. Cunningham stated some crushed concrete from current buildings would be used if it were okay.

Mr. Goetz stated there should be an O & M plan. He also would like a fence to keep out children and animals.

Mr. Wiley asked about the monitoring wells, and will they remain after capping. He stated this should to be indicated on the plan

Ms. Hershey stated that construction and stormwater management should be addressed under the Notice of Intent.

Mr. Wiley asked for comments and questions from the audience

Ms. Joanne Muti, Notch Rd asked about the monitoring wells and how long will they be in place, and who would monitor them. Ms. Muti also asked about the piles, indicated in tan on the plan and what will be done with them.

Mr. Cunningham stated the piles would remain

Mr. Cunningham stated that Baker Process would monitor the wells until water recharge had been maintained sufficiently.

Ms. Muti asked how long well data has been around and asked for a summary of ground water data.

Ms. Debbie Burke, resident asked how many drums had been removed.

Mr. Cunningham stated approximately 30-40 and they were not in an asbestos area

Mr. Wiley reminded the audience that the drums were a topic of a previous hearing and the focus needs to be on the commission's jurisdiction that is the wetlands.

Mr. Bill Hamilton, Eldor Dr. stated he favors an impervious cap to keep water from percolating through hazardous materials.

Mr. Wiley stated we already have an asbestos site on South St. with a pervious cover
And this discussion should be continued

Mr. Goetz made the motion to continue the Public Hearing until May 14th at 8:00 p.m.

Mr. DiVirgilio seconded the motion

Vote: 4-0-0

The commission set up a site visit for May 1, 2008 at 12:30 along with Mr. Cunningham and Ms. Minihan.

MINUTES

MARCH 26, 2008

Mr. Goetz made the motion to move and accept the minutes for March 26, 2008

Mr. DiVirgilio seconded the motion

Vote: 4-0-0

The following Correspondence was available for review and discussion

- Merrikin Engineering – 156 Baker St.
- Chamber of Commerce – May 18th Walpole Day (Ms. Dyer will look into this)
- Board of Selectmen letter – Zoning Bylaw Committee rep. (Mr. Goetz agreed to represent Conservation commission)
- DEP letter – Brush Hill

MEETING CLOSED: 10:45

